

April 11, 1983

LB 433

provisions affecting common elements, provisions for insurance, sets up mechanism for establishing assessments and liens, requires the keeping of financial records. Most importantly, and it really is a key element in the bill, is that when a condominium is sold by a developer to a consumer, a public offering statement must be given, which describes the condominium in full detail. Lastly, it provides for conversions. This is where you take apartment complexes and convert them into condominium units and sets up the procedure for terminating a condominium if that ever be necessary. I would just like to say in closing that LB 433 protects again the developer, the realtor, but most importantly the element that I have identified with so strongly is the resident or the future resident owner. I would ask you to advance LB 433 to Select File. Thank you.

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Mr. President and members of the Legislature, if Senator Wiitala would yield to some questions, I would have some for him.

PRESIDENT: Senator Wiitala.

SENATOR WIITALA: Yes.

SENATOR WESELY: Senator Wiitala, I work presently in a project that is dealing with condominiums and we have definitely found problems with the law and we are very appreciative of the concerns expressed in the bill. I guess I haven't looked at it specifically to see what changes you have made, but this bill would not affect current condominiums that are now operating in the state. Is that correct?

SENATOR WIITALA: That is correct.

SENATOR WESELY: So they would not have to change any of the bylaws or any of the process we have gone through?

SENATOR WIITALA: That is right.

SENATOR WESELY: Now if there is a....if this law is adopted and I would hope it would be, but if there is a change in that condominium status, they would then fall under these new provisions. For instance, we are going to merge the existing condominium with a new one that is going to be formed, so these provisions would apply in the case of a merger, would they not? You talked about merger and I understand....